IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15325 of 2005

Between:

P.Bhaskar Reddy, s/o Mruthyunjay Reddy,
r/o 19-96/11, Plot No.168, East Kalyanpuri, Uppal, Hyderabad.

..... PETITIONER

AND

1 The Chief Engineer, Panchayat Raj (NABARD) Erra Manzil, Hyderabad.
2 The Superintending Engineer, Panchayat Raj (NABARD), Mahaboobnagar, Mahaboobnagar District.
3 The Commissioner of Tenders, Govt. of A.P., VI Floor, BRKR Buildings, Tankbund, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass appropriate writ, order or direction particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in not opening the tender of the petitioner in respect of Road Works No.45 mentioned in the dt.18-3-05 notification Tandra-Pothepally viz Jaypally Gokaram, Chandrampally, Mahaboobnagar District as illegal, improper, arbitrary, unreasonable and further direct the respondents to consider awarding contract to the petitioner in respect of the above said work in case the petitioner is the lowest bidder.

Counsel for the Petitioner:MR.V.SREE RANGA RAO

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

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ORDER:

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1. This writ petition is filed to declare the action of the 2nd respondent in not opening the tender of the petitioner in respect of Road works No. 45 mentioned in the notification dated 18-3-2005 Tandra-Pothepally via Jaypally Gokaram, Chandrampally Mahaboobnagar District as illegal and arbitrary.

2. After obtaining instructions from the Government, the learned Government Pleader appearing on behalf of the respondents submits that all the bid works, with regard to qualified and disqualified tenders were placed before the committee, which is the authority to consider, as per the value of the work.

3. Therefore, the petitioner is entitled to take appropriate steps in appeal challenging the correctness of the order if any passed by the committee. However, the committee has to follow the orders passed by the Government from time to time.

4. I do not see any merit in the writ petition and accordingly the writ petition is dismissed. No order as to costs.

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Elipe Dharma Rao, J.

19th July, 2005.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chief Engineer, Panchayat Raj (NABARD) Erra Manzil, Hyderabad.
2 The Superintending Engineer, Panchayat Raj (NABARD), Mahaboobnagar, Mahaboobnagar District.
3 The Commissioner of Tenders, Govt. of A.P., VI Floor, BRKR Buildings, Tankbund, Hyderabad.

4. 2 CCs to G.P. for Panchayath Raj and Rural Development, High Court Buildings, Hyderabad (OUT)

5. 2 CD copies

6. 1 CC to MR.SREE RANGA RAO

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

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19th JULY, 2005.